

RECEIVED
CENTRAL FAX CENTER

MAR 02 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: BACCHIAZ, et al.

Application No.: 09/764,729

Examiner: DANG, HUNG Q.

Date Filed: January 17, 2001

Group: 2635

For: BIOMETRIC KEY

INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 CFR §1.97(b)

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on 3/2/06


Sarah E. Smith Reg. No. 50,488

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the Duty to Disclose under 37 C.F.R. §1.56, the reference cited on the accompanying form PTO/SB/08A is hereby brought to the attention of the Examiner for independent evaluation.

The submission of the listed document is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Applicants respectfully request that the listed documents be considered by the Examiner and made of record in the present application and that an initialed copy of form PTO/SB/08A be returned in accordance with MPEP §609.

{WP290024:1}

1

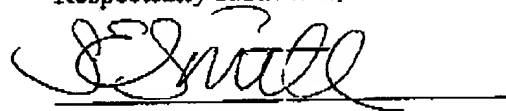
Appln. No. 09/764,729
Petition to Withdraw from Issue

Docket No. 9300-1

This Statement is being filed concurrently with a Request for Continued Examination (RCE) and this paper is thus submitted in accordance with 37 CFR 1.97(b). In view of this certification, a fee is not required for consideration of this document. Nevertheless, should a fee be deemed to be due by the Commissioner, such fee should be charged to Deposit Account No. 50-0951.

Date: 3/2/06

Respectfully submitted,



Mark D. Passler
Registration No. 40,764
Sarah E. Smith
Registration No. 50,488
AKERMAN SENTERFITT
Post Office Box 3188
West Palm Beach, FL 33402-3188
Telephone: (561) 653-5000

Docket No. 9300-1

